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OFFICE OF PETITIONS

ON PETITION

In re Application of :
Andrews, et al. :
Application No. 10/749,712 :
Filed: December 31, 2003 :
Attorney Docket No. 47099-00148USPT :
:

This is a decision on the petition under 37 CFR 1.137(b), filed February 13, 2006, to revive the above-identified application.

The petition is **GRANTED**.

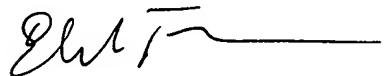
This application became abandoned for failure to timely file a proper reply to the Office action mailed April 18, 2005, which set a one (1) month period for response. Accordingly, this application became abandoned on May 19, 2005. A Notice of Abandonment was mailed on December 13, 2005.

Please note, the "Revocation and Appointment of Power of Attorney by Assignee" has not been entered. The copy of the original assignment papers submitted in support of the statement under 37 CFR 3.73(b) is not found in the application file and, as such, the revocation and appointment cannot be made at this time. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Accordingly, it is not apparent whether the statement of unintentional delay was signed by a person who would have been in a position of knowing that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Nevertheless, in accordance with 37 CFR 10.18, the statement is accepted as constituting a certification of unintentional delay. However, in the event that petitioner has no knowledge that the delay was unintentional, petitioner must make such an inquiry to ascertain that, in fact, the delay was unintentional. If petitioner discovers that the delay was intentional, petitioner must so notify the Office.

The file is being forwarded to Technology Center 3700.

Telephone inquiries concerning this matter may be directed to the undersigned at
(571) 272-3228.



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cc.

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